

**Probation Committee
Judicial Conference of Indiana**

January 23, 2004

Minutes

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on January 23, 2004 from 1:00 p.m. to 3:00 p.m.

1. **Members present.** The following members of the committee were present: Thomas Gray, Thomas Lett, Liz Pease, Douglas R. Bridges, Jesse Villalpando, and John Surbeck, chair.
2. **Staff present.** Jenny Bauer, Bob Champion, and Michelle Goodman provided staff assistance to the committee.
3. **Approval of minutes.** The minutes from the October 31, 2003 meeting were approved.
4. **Probation administration issues.**
 - a. Annual Meeting. Bob Champion distributed a list of "Dates to Remember" for probation in 2004. He explained to the committee that the Probation Officers Annual Meeting would be held at the Convention Center in downtown Indianapolis on May 6 and 7. Several committee members will be needed to help with the sessions on recent legislation and case law. The committee is scheduled to meet on May 7th at noon, and lunch will be provided by the Judicial Center.
 - b. Applications to become a probation officer. Bob Champion explained that he has had some trouble with background checks for probation officer applications. Some applicants make mistakes with their name or social security number, and he has no way to verify that the information is correct. A motion was made and seconded to require applicants to include a copy of their driver's license or other picture identification with the application. The motion was approved unanimously. A motion was also made to require that a picture ID be shown to gain entrance to the probation officer examination. The motion was approved unanimously.

- c. Orientation issue. Bob Champion reported that the committee received a letter from Judge Dan Vanderpool, Wabash Circuit Court, requesting a waiver for the requirement that a probation officer attend an orientation session within one year of being employed. Judge Vanderpool's probation officer failed the test on his first two attempts and could not go to orientation as a result. The officer passed the exam on the third attempt, but his year will expire several weeks before the next orientation session in March. Judge Vanderpool requests that the officer be exempted from the one-year requirement due to the orientation session only being offered every 6 months. A motion was made to allow the waiver for the probation officer to attend the orientation session after the expiration of one year from the date of employment. The motion was unanimously approved.
 - d. Departments without chief probation officers. Jenny Bauer reported that several departments no longer have chief probation officers as a result of the new salary schedule. The committee discussed that the salary schedule requires a chief probation officer for every department and that this may present a problem with processing interstate compact cases when the new rules become effective in August.
 - e. Certification of probation departments. Bob Champion reported that Judge Tom Felts of Allen Circuit Court recently approached him with the idea of certifying probation departments that comply with the probation standards. The committee discussed the pros and cons of this idea at length. Judge Surbeck will ask Judge Felts and Eric Zimmerman (Chief Probation Officer for Allen Circuit Court and President of POPAI) to draft a proposal for review by the committee.
5. **Legislation.** Jenny Bauer reported that several probation-related bills were introduced in the 2004 session of the Indiana General Assembly. Judge Gray discussed SB 233, which will allow probation departments to collect restitution as a condition of probation and pay the money directly to the victim. The bill came about because the State Board of Accounts took issue with his probation department collecting this money and paying it out, instead of sending it to the clerk and auditor for pay-out. SB 233 passed the Senate on third reading and will be sponsored by Rep. Ralph Foley in the House. The Committee also discussed SB 346 (lifetime probation for repeat sex offenders) and SB 353 (juvenile interstate compact). Jenny Bauer stated that SB 346 has not been scheduled for a committee hearing, and SB 353 will be heard by the Senate Criminal, Civil and Public Policy Committee on January 27, 2004.
6. **Salaries.** Jenny Bauer distributed a chart showing how probation departments fared in getting the new salary schedule instituted for 2004. The information was collected at the Regional Meetings in November 2003.

7. **Risk Assessment.** Michelle Goodman distributed the results of the 2003 survey on use of the Judicial Conference case classification and workload measures system by probation departments. She reported that 63% of respondents (how many departments responded?) stated that they did not comply with the contact standards. She also reported that the risk assessment instrument was discussed at the Regional Meetings and is currently being studied by the Probation Officers Advisory Board. The general consensus from the Regional Meetings was that the risk assessment instrument should be improved. The Committee discussed whether the National Institute of Corrections has an approved list of risk assessment instruments. The Committee also discussed that the workload measures system may need to be adjusted depending on what happens with the risk assessment instrument.
8. **Next meeting.** The next meeting of the Probation Committee is scheduled for February 20, 2004.

Respectfully submitted,

Jenny Bauer
Staff Attorney